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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/995,320 | 11/26/2001 | Wolfgang Bross | 100111406-2 | 9508 |

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| EXAMINER | |
|---|---|
| MCALLISTER, STEVEN B | |
| **ART UNIT** | **PAPER NUMBER** |
| 3627 | |

DATE MAILED: 05/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/995,320 | BROSS ET AL. | |
| | Examiner | Art Unit | |
| | Steven B. McAllister | 3627 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *13 February 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1,3,5-8 and 10-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,5-8 and 10-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Election/Restrictions*

Applicant's election without traverse of Group I, claims 1, 3, 5-8 and 10-13 in the reply filed on 2/13/2006 is acknowledged.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3, 5, 6, and 10-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 3 recite "or vice versa", which is unclear.

### *Double Patenting*

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to

be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1, 3, 5-8 and 10-13 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-15 of copending Application No. 10/495,634. Although the conflicting claims are not identical, they are not patentably distinct from each other because Claims 1-10 of '634 show all elements of claims 1, 3, 5, 6 and 10-13 except that they do not explicitly state that the mapping is done by reading an output mapping definition; deriving source information from the data elements the first application model based on the read output mapping and mapping the information to the data elements in the standardized interface data model. However, the examiner takes official notice that performing these steps in accomplishing the mapping is notoriously old and well known in the art. It would have been obvious to one of ordinary skill in the art to perform these steps to ensure that the source data is properly mapped.

As to claims 7 and 8 of the present application, claims 11-15 show all elements except that the mapping is done by reading an output mapping definition; deriving source information from the data elements the first application model based on the read output mapping and mapping the information to the data elements in the standardized interface data model. However, the examiner takes official notice that performing these steps in accomplishing the mapping is notoriously old and well known in the art. It

would have been obvious to one of ordinary skill in the art to perform these steps to ensure that the source data is properly mapped.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 5-8 and 10-13 are are rejected under 35 U.S.C. 103(a) as being unpatentable over Sullivan (2003/0093320) in view of Cox et al (2003/0061061).

Sullivan shows exchanging transaction-related data between at least a first and a second transaction tax related application (e.g., modules 270, 272, 276, 274, tax calculator).

Sullivan does not explicitly show that the data model of the first application is different from that of the standardized interface data model; that data elements of the first application's data model are mapped to data elements of the standardized interface data model; or that the mapping includes reading an output mapping definition; deriving source information from the data elements the first application model based on the read output mapping and mapping the information to the data elements in the standardized

interface data model. Sullivan also does not explicitly show that the first and second software applications are on separate computers.

Cox et al show these steps (see e.g., par. 0027). ). It is noted that it is inherent that the reading, deriving, and mapping steps are performed in performing the mapping, since the mapping definition must be known and the source data must be derived in order to map the data. It would have been obvious to one of ordinary skill in the art to modify the method of Sullivan by providing the standard interface data model and mapping data from the first application data model and modules to the standard interface data model in order to provide communication in a heterogeneous environment.

As to locating the first and second software on separate computers, the examiner takes official notice that it is notoriously old and well known in the art to place different software modules on separate networked machines. It would have been obvious to one of ordinary skill in the art to modify the method of Sullivan by placing at least one different application on a different server in order to minimize the storage and processing load on each machine.

As to claim 3, 5 and 6, Sullivan in view of Cox show mapping the data elements to a second applicant having a different data model from the first application and the standardized interface.

As to claim 10, at least one of the first and second applications is a logging module, a compliance module, a tax filing module, a tax calculation module, a tax content module, or a database for storing tax data (see e.g. "Tax Calculator").

As to claim 11, as broadly claimed, at least one of the applications is one of a basic and a micro service module.

As to claims 12 and 13, Sullivan in view of Cox shows that the mapping is governed by defined rules configurable by the user and implemented by a lookup table.

As to claim 7, Sullivan shows storing transaction related data received from at least one other application in a data warehouse comprising databases (see Figs. 1,2) according to a data warehouse data model.

Sullivan does not explicitly show using a standardized interface data model to enable communication between storage and applications, where they have different data models; mapping the data elements of the modules and storage with the data elements of the standardized interface data model by reading an output mapping definition; deriving source information from the data elements in the warehouse model based on the read output mapping and mapping the information to the data elements in the standardized interface data model.

Cox shows these elements (see e.g., par. 0027). It is noted that it is inherent that the reading, deriving, and mapping steps are performed in performing the mapping, since the mapping definition must be known in order to map the data, and in order to map the source elements, they must be derived from the data elements. It would have been obvious to one of ordinary skill in the art to modify the method of Sullivan by providing the standard interface data model and mapping data from the storage and

modules to the standard interface data model in order to provide communication in a heterogeneous environment.

As to claim 8, Sullivan further shows exchanging data to be stored between transaction tax applications (e.g., 270-274, tax calculator) according to a standardized data model (see e.g., Figs 1,2).

### *Response to Arguments*

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. McAllister whose telephone number is (571) 272-6785. The examiner can normally be reached on M-Th 8-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander G. Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Steven B. McAllister
Primary Examiner
Art Unit 3627

Steven B. McAllister

STEVE B. MCALLISTER
PRIMARY EXAMINER